

Notice of Allowability

Application No.

10/074,082

Examiner

Rodney G. McDonald

Applicant(s)

TAYLOR ET AL.

Art Unit

1753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3-28-05.
2. ☒ The allowed claim(s) is/are 1-4, 7-9, 17-24, 27, 48, 51, 53, 57, 58, 61, 63, 65, 67-70, 75-77, 79-85, 115, 116 and 123-128.
3. ☒ The drawings filed on 12 February 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


RODNEY G. McDONALD
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Robbins on April 6, 2005.

The application has been amended as follows:

In Claim 115, line 9, replace "form" with the word "from".

In Claim 126, line 6, replace "form" with the word "from".

In Claims 1, 17, 20, 21, 48, 51, 53, 61, 63, 67, 68, 69, 70, 75, 77, 79, line 1, replace "Amended" with "Presented". This is done to correct the status identifier and does not effect the scope of the claims.

In Claims 123-128, line 1, replace "Added" with "Presented". This is done to correct the status identifier and does not effect the scope of the claims.

Concerning the status of the applications cited in the specification please make the following amendments:

In the preliminary amendment of June 11, 2002 Page 2, line 8, please update the status of Application No. 09/564,960 by the phrase "now U.S. Pat. 6,350,417" after "2000".

In the preliminary amendment of June 11, 2002 at Page 2, line 16, replace "10/074,207, filed herewith" with "10/074,207, now abandoned".

The following is an examiner's statement of reasons for allowance:

Claims 1-4, 7-9, 17-24, 27, 51, 57, 58, 61, 65, 67, 68, 69 and 70 are allowable over the prior art of record because the prior art of record does not teach ion generator as claimed including the arrangement of electrodes required by the claims.

Claims 48, 53 and 63 are allowable over the prior art of record because the prior art of record does not teach the device that transports and conditions air as claimed including the arrangement of electrodes as required by the claims.

Claims 75, 76, 77, 79, 80, 81, 82, 83, 84 and 85 are allowable over the prior art of record because the prior art of record does not teach an electro-kinetic air transporter-conditioner having an ion generator as claimed including the arrangement of electrodes as claimed.

Claims 115 and 116 are indicated as being allowable over the prior art of record because the prior art of record does not teach the geometric arrangement of electrodes as claimed.

Claims 123 and 124 are allowable over the prior art of record because the prior art of record does not teach an air-transporter conditioner system as claimed including the arrangement of electrodes.

Claims 125 are allowable over the prior art of record because the prior art of record does not teach an air transporter-conditioner system as claimed with the at least one focus electrode including a curved surface so that the curved surface is concave relative to a respective emitter electrode.

Claims 126 are allowable over the prior art of record because the prior art of record does not teach an ion generator as claimed including the arrangement of electrodes as claimed.

Claims 127 are allowable over the prior art of record because the prior art of record does not teach an ion generator as claimed including the arrangement of electrodes as claimed.

Claims 128 are allowable over the prior art of record because the prior art of record does not teach an ion generator as claimed including the arrangement of electrodes as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney G. McDonald whose telephone number is 571-272-1340. The examiner can normally be reached on M- Th with Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam X. Nguyen can be reached on 571-272-1342. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney G. McDonald
Primary Examiner
Art Unit 1753

RM
April 6, 2005